

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA)	
)	Criminal No.: 3:00-CR-400-P
v.)	
)	Judge Jorge A. Solis
MARTIN NEWS AGENCY, INC.; and)	
BENNETT T. MARTIN,)	
)	FILED: June 22, 2001
Defendants.)	

MOTION FOR LEAVE TO FILE *INSTANTER* REPLY BRIEF OF
UNITED STATES IN SUPPORT OF MOTION FOR PRODUCTION OF DOCUMENTS
RESPONSIVE TO SUBPOENA *DUCES TECUM* ON OR BEFORE JUNE 15

In accordance with Local Rule 47.1(f) of the Northern District of Texas, the United States requests leave to file the attached *Reply Brief of United States in Support of Motion for Production of Documents Responsive to Subpoena Duces Tecum on or before June 15*.

The attached motion is necessary to respond to certain issues and allegations raised by the defendants in their response. In particular, the defendants assert that the United States has no basis for its belief that the defendants do not have materials responsive to the proposed Rule 17(c) subpoena, nor to two prior grand jury subpoenas.

Accordingly, the United States respectfully requests that this Court grant this motion for leave to file *instante* a reply brief.

Respectfully submitted,

SCOTT M. WATSON
Chief, Cleveland Field Office

“/s/”
RICHARD T. HAMILTON, JR.
Ohio Bar Number--0042399

MICHAEL F. WOOD
District of Columbia Bar Number--376312

KIMBERLY A. SMITH
Ohio Bar Number--0069513

SARAH L. WAGNER
Texas Bar Number--24013700

Attorneys, Antitrust Division
U.S. Department of Justice
Plaza 9 Building, Suite 700
55 Erieview Plaza
Cleveland, OH 44114-1816
Telephone: (216) 522-4107
FAX: (216) 522-8332

CERTIFICATE OF CONFERENCE

This is to certify that the undersigned attorney left a telephone message with Michael P. Gibson, counsel for Bennett T. Martin, and Richard A. Anderson, counsel for Martin News Agency, Inc., on June 21, 2001, advising them of the Motion.

SIGNED this 21st day of June, 2001.

“/s/”

RICHARD T. HAMILTON, JR.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was sent via Federal Express to the Office of the Clerk of Court on this 21st day of June, 2001. In addition, copies of the above-captioned pleading were served upon the defendants via Federal Express on this 21st day of June, 2001.

Richard Alan Anderson, Esq.
Burleson, Pate & Gibson, L.L.P.
2414 N. Akard, Suite 700
Dallas, TX 75201

Michael P. Gibson
Burleson, Pate & Gibson, L.L.P.
2414 N. Akard, Suite 700
Dallas, TX 75201

“/s/”

RICHARD T. HAMILTON, JR.